THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE K. C. BHANU

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WRIT PETITION NO.24198 OF 2005

Dated: 25.11.2005

Between:

Between:

Patirla Narasimhulu Reddy, S/o. late Jaggayya Reddy, Ichapuram, Srikakulam District.

..... PETITIONER

AND

1 The Station House Officer, Ichapuram Police Station, Ichapuram, Srikakulam District. Respondents.

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WRIT PETITION NO.24198 OF 2005

ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is taken up on the basis of a fax message dated 8.11.2005 sent by the petitioner. Petitioner submits that he was entrusted with a contract work of laying road near 'E' Seva Center by the Ichapuram Municipality. While so, on 5.11.2005, the Sub-Inspector of Ichapuram Town Police Station came and asked him why he had put stop hoardings on the road. When the petitioner was trying to explain him, the Sub-Inspector of Police, without any reason, beat him indiscriminately at the work spot, humiliated and dragged him on to the road and torn his shirt. He also broke his spectacles. Besides this, an amount of Rs.2,000/- was lost by the petitioner. Petitioner alleges that the Sub-Inspector of Police took the petitioner along with him to the police station and confined him illegally for two hours. Petitioner, therefore, seeks appropriate directions to the authorities to enquire in the matter and to take suitable action against the concerned.

A counter affidavit has been filed by the 1st respondent wherein it is stated that the National High way Road, which runs for about 5 kms., is in the limits of Ichapuram Police Station in Srikakulam District. Besides this, an integrated check post is also located in the limits of Ichapuram Town Police Station. It is stated that since many transport companies are located in the limits of Ichapuram Police Station, regulation of traffic has become very essential for smooth plying of vehicles.

Therefore, the 1st respondent police station has been putting diversion hoardings in order to regulate and check the traffic, vehicle speed, accidents, illegal transportation of explosives and arrack etc. The 1st respondent alleges that the petitioner had taken all the hoardings without knowledge of the police and has been using the same at his work site by blocking both sides of the road diverting the traffic. Therefore, he sent a Police Constable and summoned the petitioner to the police station with a view to instruct him to return all the hoardings which were taken illegally by him, but, he did not do so. Thereafter, this respondent along with the Constable went to the work site and brought the petitioner to the police station for enquiry. Petitioner told the police that he committed a mistake and would to return all the hoardings on completion of the work. He also gave an undertaking to that effect. In spite of giving such an undertaking, the petitioner did not return the hoardings till date.

The respondent further submitted that he had not threatened the petitioner or beat him at any time. He further stated that since no case is registered against the petitioner, the question of putting him in lock-up does not arise. He would therefore submit that all the allegations contained in the fax message are absolutely false and baseless and denied the same.

In view of the averments made in the counter affidavit, no further orders are required to be passed in this writ petition. The writ petition is accordingly dismissed.

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T. Meena Kumari,J

Date: 25.11.2005

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K.C. Bhanu,J

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